

## REMARKS

Claims 1-5 are amended. Claims 1-5 are pending.

The specification and claims are amended for clarity to indicate that the leaf springs 4 outwardly spring-bias latching hooks 5, as shown at last in FIG. 1, and also to clarify antecedent basis of various terms.

The amendments to the specification and claims are based on the application as originally filed, so it is respectfully submitted that no new matter has been added.

In the office action, claims 1-5 were rejected under 35 U.S.C. § 103(a) in view of U.S. Patent Number 6,500,581 to White in view of the applicant's admitted prior art (AAPA).

It is respectfully submitted that there is no hint, teaching, suggestion, or motivation in the cited art to use a spring for a latching mechanism of a battery pack comparable to the present invention recited in claim 1, including a bi-convex leaf spring forming a local force maximum between a resting position and a released position of finger pressure surfaces of latching hooks.

Although the principle of bi-convex shaped leaf springs is known for use with flap covers as described in DE 199 03 263, as well as spring systems giving an operator a tactile feel when a pushbutton switch is entirely depressed as described in U.S. Patent Number 4,990,731 to Wu or a spring system for switching automatically to a lock position when a tightening force reaches a predetermined value as described in EP 0 582 729, such prior art springs or spring systems do not disclose or suggest every element, step, and feature of independent claim 1, including providing a bi-convex leaf spring forming a local force maximum between a resting position and a released position of finger pressure surfaces of latching hooks.

One having ordinary skill in the art would not look to White and/or any of the other prior art documents U.S. Patent Number 4,990,731; DE 199 03 263; or EP 0 582 729 for the elements, steps, and features of independent claim 1, since White and the other prior art documents do not disclose or suggest a bi-convex leaf spring forming a local force maximum between a resting position and a released position of finger pressure surfaces of latching hooks, as in the present invention of independent claim 1.

Furthermore, one having ordinary skill in the art would not look to U.S. Patent Number 4,990,731; DE 199 03 263; or EP 0 582 729 to remedy the deficiencies of White, since each of U.S. Patent Number 4,990,731; DE 199 03 263; or EP 0 582 729 are in completely different technical fields compared to the White patent.

DE 199 03 263 does describe a bi-convex spring which uses a flap cover as an actuation lever which extends from the spring mechanism. However, there is no hint, suggestion, or motivation in DE 199 03 263 as to how to implement such a bulky mechanism in a slot-like space of a battery pack, as in the claimed invention.

On the contrary, the present invention is adapted to provide such a bi-convex spring in a slot-like space of a battery pack for providing a latching mechanism as recited in claim 1.

Accordingly, claim 1 is patentable over White and the remaining cited art, so reconsideration and withdrawal of the rejection are respectfully requested.

Claims 2-5 depend from independent claim 1, and so includes the recitation of amended claim 1. For the reasons set forth above, claims 2-5 are also patentable over White and the remaining cited art.

Therefore, claims 1-5 are patentable over White and the remaining cited art, so reconsideration and withdrawal of the rejection of claims 1-5 are respectfully requested.

Accordingly, entry and approval of the present amendment and allowance of all pending claims are respectfully requested.

In case of any deficiencies in fees by the filing of the present amendment, the Commissioner is hereby authorized to charge such deficiencies in fees to Deposit Account Number 01-0035.

Respectfully submitted,



Anthony J. Natoli  
Registration number 36,223  
Attorney for applicant

Date: June 18, 2007

ABELMAN, FRAYNE & SCHWAB  
666 Third Ave., 10th Floor  
New York, NY 10017-5621  
Tele: (212) 949-9022  
Fax: (212) 949-9190